

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-24513 - PUBLIC HEARING - APPLICANT/OWNER: ICONIUM CORPORATION, LLC
 – Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A FACILITY TO PROVIDE TESTING, TREATMENT, OR COUNSELING FOR DRUG OR ALCOHOL ABUSE at 1311 South Casino Center Boulevard (APN 162-03-110-056), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (3-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

8

City Council Meeting

9

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

4

RECOMMENDATION:

The Planning Commission (3-1-1 vote) and staff recommend DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Certification and Business License Documentation
5. Photos
6. Justification Letter
7. Appeal letter filed by Kummer Kaempfer Bonner Renshaw & Ferrario
8. Protest/support postcards
9. Submitted after final agenda – Protest/support postcards
10. Submitted after meeting – Clark County Legal Services letter
11. Backup referenced from the 10-25-07 Planning Commission Meeting Item 52

Motion made by GARY REESE to Hold In Abeyance to 12/5/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,
 GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
 (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open

CITY COUNCIL MEETING OF: NOVEMBER 21, 2007

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, summarized the relocation of an existing facility for 20 years from East Charleston to Casino Center to allow Clark County Legal Services to expand their adjacent use. She submitted a letter indicating that this for-profit treatment facility has been a good tenant with no problems with patients or staff. The owners of this facility own 17 others facilities, four in the Las Vegas Valley. Tours were offered to demonstrate the use which has impressed all who have taken it. Once the use has relocated, the free standing existing sign will be removed. She added that this use is heavily regulated at the local, state and federal levels. She requested a correction to the condition regarding hours of operation to reflect 5:00 a.m. to 2:00 p.m., Monday through Saturday and reopen from 5:00 p.m. to 7:00 p.m. for group meetings. They would be closed Sunday. She stressed that the intent is for the use to blend into the area.

ATTORNEY PHILIP VERECKIO stated that he purchased the building across the street at 1320 Casino Center and opposed this project. He noted that treatment would include methadone distribution daily. BRENT MASSMAN, Iconium Corporation, refuted that methadone is distributed in liquid form and must be ingested daily, but not distributed daily.

ATTORNEY VERECKIO expressed appreciation for the efforts of the Mayor to improve downtown. Methadone is highly regulated and there are statutes in other states that prohibit this use adjacent to residence uses. This will damage all the progress made regarding the perception of downtown and he urged denial.

VERONICA HOLMES and her husband, 1302 South Third Street, read a statement into the record expressing her extreme concerns, outlined the sacrifices of those in the area and the support given by the members of the Council. She stressed that denial will further support the Arts District and prevent customers from being scared away.

COUNCILWOMAN TARKANIAN compared this project to Choices. COUNCILMAN REESE noted that people are sent to Choice while these people have to pay for the services. He respected the residents concerns and asked to hold the item in abeyance to the 12/5/2007 meeting as the first discussion item. MAYOR GOODMAN agreed that he would like the applicant to meet with him and address his concerns with development downtown.

COUNCILMAN WOLFSON agreed with the point made by COUNCILWOMAN TARKANIAN, but he would like a clearer understanding of any difference between the programs. COUNCILMAN REESE commented that the use served the community for 12 years at its existing location where it faces Charleston Boulevard at Seventh Street, surrounded by residents and he has never heard a complaint.

MAYOR GOODMAN indicated he would also like to see the architecture and will visit the Casino Center facility to see if it stands out. COUNCILMAN REESE responded that he took and would recommend the North Las Vegas facility tour. COUNCILMAN ROSS added that there is a Cheyenne/Simmons location that he had no idea even existed.

MAYOR GOODMAN declared the Public Hearing closed.